UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

United States District Court
Southern District of Texas

ENTERED

January 29, 2018

David J. Bradley, Clerk

Lidia Maricruz Sauced Rodriguez §
vs. §   CIVIL ACTION NO. 7:18–cv–00022
Merced Arellano Avalos, et al. §

ORDER FOR CONFERENCE
AND
DISCLOSURE OF INTERESTED PARTIES

1. Counsel shall appear for an initial pretrial and scheduling conference before

HONORABLE RANDY CRANE
on **Wednesday, March 7, 2018 at 09:00 AM**
at U.S. DISTRICT COURT
Bentsen Tower, 9th FLOOR
1701 West Bus. Hwy. 83
McAllen, Texas 78501

2. Counsel shall file at least 10 days before the conference a Disclosure of Interested Parties listing all persons, associations, firms, partnerships, corporations, affiliates, parent corporations, or other entities that are financially interested in the outcome of this litigation. The form of this Disclosure may be downloaded in Word or WordPerfect format at www.txs.uscourts.gov/content/JudgeRandyCrane. If a group can be specified by general description, individual listing is not necessary. Underline the name of each corporation whose securities are publicly traded. If new parties are added or if additional persons or entities that are financially interested in the outcome of the litigation are identified at any time during the pendency of this litigation, then counsel shall promptly file an amended certificate with the clerk.

3. The parties shall confer as required by Fed. R. Civ. P. 26(f) and, thereafter, shall prepare and file at least 10 days before the conference a Joint Discovery Plan containing the information required on the attached form. (May be downloaded in Word or WordPerfect format at www.txs.uscourts.gov/content/JudgeRandyCrane.)

4. Counsel who files or removes an action *is responsible for providing all other parties with a copy of this order and must also serve* this order with the summons and complaint or with the notice of removal.

5. The court will enter a scheduling order and may rule on any pending motions at the conference.

6. Fed. R. Civ. P. 4(m) requires defendant(s) to be served within 90 days after the filing of the complaint. The failure of plaintiff(s) to file proof of service within 90 days after the filing of the complaint may result in dismissal of this action by the court *sua sponte*.

7. Attendance by an attorney who has authority to bind the party is required at the conference.

8. A person litigating *pro se* is bound by the requirements imposed upon counsel in this Order.

9. Failure to comply with this order may result in sanctions, including dismissal of the action and assessment of fees and costs.

By Order of the Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

_____, Plaintiff(s)   §
                                                   §   CIVIL ACTION NO. _____
_____, Defendant(s)   §

DISCLOSURE OF INTERESTED PARTIES

   NOW COMES [insert name of party making this disclosure] and hereby certifies that the following persons or entities have a financial interest in the outcome of this litigation:

   1. [name of person or entity]
        [city and state of residence or principal place of business]

   2. [name of person or entity]
        [city and state of residence or principal place of business]

   3. [name of person or entity]
        [city and state of residence or principal place of business]

Respectfully submitted,

_____
[Counsel for party]

Please note: this designation must include all persons and entities (designating whether an entity is an association of persons, firm, partnership, corporation, affiliate, parent corporation) that are financially interested in the outcome of this litigation. The listing should include the individual names of each partner in a partnership. If a group can be specified by a general description, individual listing is not necessary. Underline the name of each corporation whose securities are publicly traded. If new parties are added or if additional persons or entities that are financially interested in the outcome of the litigation are identified at any time during the pendency of this litigation, then each counsel shall promptly file an amended disclosure report with the clerk of court.

Certificate of Service

[insert certification of service here]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

_____, Plaintiff(s)   §
                                                                §   CIVIL ACTION NO. _____
_____, Defendant(s)   §

JOINT DISCOVERY/CASE MANAGEMENT PLAN
UNDER FRCP 26(f)

[Please restate the instruction in **bold** before furnishing the information.]

1. State when and in what manner the parties conferred as required by Rule 26(f), and identify the counsel and/or parties who participated in the conference.

2. List by case number and court any cases related to this one that are pending in any state or federal court and describe how they are related.

3. Briefly describe what this case is about.

4. Specify the allegation of federal jurisdiction.

5. Name the parties who disagree with the jurisdictional allegations and state their reasons.

6. List anticipated additional parties that should be included, when they can be added, and which parties desire their inclusion.

7. List anticipated interventions.

8. Describe any class−action issues.

9. State whether each party represents that it has made the initial disclosures required by FRCP 26(a). If not, describe the arrangements that have been made to complete such disclosures.

10. Describe the discovery plan agreed by the parties by stating:

    A. What changes should be made in the timing, form or requirement for disclosures under Rule 26(a).
    B. When and to whom the plaintiff anticipates it may send interrogatories.
    C. When and to whom the defendant anticipates it may send interrogatories.
    D. Of Whom and by when the plaintiff anticipates taking oral depositions.
    E. Of Whom and by when the defendant anticipates taking oral depositions.
    F. When the plaintiff (or the party with the burden of proof on an issue) will be able to designate experts and provide the reports required by Rule 26(a)(2)(B), and when the opposing party will be able to designate responsive experts and provide their reports.
    G. List expert depositions the plaintiff (or the party with the burden of proof on an issue) anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).

    H. List expert depositions the opposing party anticipates taking and their anticipated completion date. See Rule26(a)(2)(B) (export report).

11. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.

12. Specify the discovery beyond initial disclosures that has been undertaken to date.

13. State the date the planned discovery can reasonably be completed.

14. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting.

15. Describe what each party has done or agreed to do to bring about a prompt resolution.

16. From the attorneys' discussion with the client, state the alternative dispute resolution techniques that are reasonably suitable, and state when such a technique may be effectively used in this case.

17. Magistrate judges may now hear jury and non–jury trials. Indicate the parties' joint position on a trial before a magistrate judge.

18. State whether a jury demand has been made and if it was made on time.

19. Specify the number of hours it will take to present the evidence in this case.

20. List pending motions that could be ruled on at the initial pretrial and scheduling conference.

21. List other motions pending.

22. Indicate other matters peculiar to this case, including discovery, that deserve the special attention of the court at the conference.

23. List the names, bar numbers, addresses, and telephone numbers of all counsel.

_____   _____

Counsel for Plaintiff(s)   Date

_____   _____

Counsel for Defendant(s)   Date